

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

NOTICE OF MOTION NO.3281 OF 2004
IN
NOTICE OF MOTION NO.2733 OF 2004
IN
APPEAL (L) NO.527 OF 2004
FROM
NOTICE OF MOTION NO.2310 OF 2002
IN
SUIT NO.1416 OF 2002

Sajjad Abdul Rasul Kanji

Appellant

vs.

Shamim Moledina & ors.

Respondents

Ms.S.T. Shaikh i/b. Mr.S.K.Srivastav for the
appellant.

Ms.Manisha Pant i/b. M/s.Bhave & Co. for the
respondent no.2.

**CORAM : R. M. LODHA &
J.P. DEVADHAR, JJ.**

DATED : 29th November 2004

P.C.

For the reasons stated in the affidavit in support
of notice of motion, we are satisfied that the
appellant's counsel was prevented by sufficient cause in
appearing in the matter at the time the case was called
out.

2. We, accordingly, recall the order dated 01.11.2004
dismissing the notice of motion no.2733/2004 and restore
the notice of motion no.2733/2004 to file.

3. Office to proceed accordingly.

4. Notice of motion stands disposed of.

(R.M. LODHA,J.)

(J.P. DEVADHAR,J.)